99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-992

# DIRECTING THE SECRETARY OF AGRICULTURE TO RELEASE A REVERSIONARY INTEREST OF THE UNITED STATES IN CERTAIN LAND LOCATED IN PUTNAM COUNTY, FLORIDA, AND DIRECTING THE SECRETARY OF THE INTERIOR TO CONVEY CERTAIN MINERAL INTERESTS OF THE UNITED STATES IN SUCH LAND TO THE STATE OF FLORIDA

---

OCTOBER 14, 1986.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. DE LA GARZA, from the Committee on Agriculture, submitted the following

## REPORT

[To accompany H.R. 5492]

The Committee on Agriculture, to whom was referred the bill (H.R. 5492) to direct the Secretary of Agriculture to release a reversionary interest of the United States in certain land located in Putnam County, Florida, and to direct the Secretary of the Interior to convey certain mineral interests of the United States in such land to the State of Florida, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. RELEASE OF REVERSIONARY INTEREST.

(a) RELEASE.—The Secretary of Agriculture shall take such actions as are necessary to release the restriction described in subsection (b) if, in consideration of such release, the State of Florida agrees to transfer to the United States a vested future interest, similar to such restriction, in the land described in section 3(b) in any exchange for the property described in section 3(a).

(b) RESTRICTION.—The restriction referred to in subsection (a) is a reversionary interest of the United States in the property described in section 3(a) which—

(1) requires that such property shall be used for public purposes; and

(2) is contained in a deed—

(A) granting such property from the United States to the State Board of Education of Florida,

(B) dated October 19, 1954, and

(C) recorded at page 337 of book 224 of the record of deeds for Putnam County, Florida.

SEC. 2. SALE OF MINERAL RIGHTS.

(a) IN GENERAL.—Subject to any valid existing rights of third parties, the Secretary of the Interior shall convey to the State of Florida all of the undivided mineral



H163-14

interests of the United States in the property described in section 3(a) as soon as practicable after the date of the compliance by the State of Florida with the provisions of subsection (b)(2).

(b) TERMS OF CONVEYANCE.—(1) Within ninety days after the date of the enactment of this Act, the Secretary of the Interior shall determine—

(A) the mineral character of the property described in section 3(a); and

(B) the fair market value of the mineral interests referred to in subsection (a).

(2) The State of Florida shall pay to the United States—

(A) any administrative costs incurred by the United States in conveying such mineral interests to the State of Florida, including the costs of making the determinations required by paragraph (1); and

(B)(i) the fair market value of such mineral interests, or

(ii) $1, in the case of mineral interests in any property determined by the Secretary of the Interior to have no value and to be under no active mineral development or leasing.

SEC. 3. PROPERTY DESCRIBED.

(a) PROPERTY TRANSFERRED TO STATE OF FLORIDA.—The property referred to in sections 1 and 2 is a tract of land comprising approximately 1.1 acres located in Putnam County, Florida, within an area generally described as Government lot 5, section 22, township 12 south, range 26 east, and being more particularly described as follows: Commence at the northeast corner of Government lot 5, section 22, township 12 south, range 26, east; thence north 89 degrees 00 minutes 39 seconds west 1341.87 feet along the north line of said Government lot 5, to the point of beginning: thence south 51 degrees 51 minutes 36 seconds west 343.00 feet along the northerly right-of-way of a county road; thence north 38 degrees 08 minutes 24 seconds west 279.04 feet to the north line of the aforesaid Government lot 5; thence south 89 degrees 00 minutes 39 seconds east 442.17 feet along said north line of Government lot 5, to the point of beginning and to close.

(b) LAND TO BECOME SUBJECT TO VESTED FUTURE INTEREST.—The land referred to in section 1(a), consisting of approximately 1.1 acres in Putnam County, Florida, to be conveyed to the State of Florida to be used exclusively for public purposes is generally described as 1.1 acres of land located in the northeast ¼ of section 22, township 12 South, Range 26 East, Putnam County, Florida and being more particularly described as follows: Begin at the southeast corner of the northeast ¼ of section 22, township 12 south, range 26 east; thence north 01 degrees 10 minutes 43 seconds east 261.15 feet along the east line of the said northeast ¼ to the southerly right-of-way of a county graded road; thence run south 55 degrees 33 minutes 43 seconds west 450.52 feet along said southerly right-of-way to the south line of the aforesaid northeast ¼ of section 22; thence run south 89 degrees 00 minutes 39 seconds 366.24 feet east along the south line of the northeast ¼ to the point of beginning and to close; containing 1.1 acres, more or less.

## BRIEF EXPLANATION

H.R. 5492, as amended, would direct the Secretary of Agriculture to release a reversionary interest of the United States in 1.1 acres of land in Putnam County, Florida that is currently owned by the State of Florida. In return for release of this interest, the State of Florida is to agree to a similar reversionary restriction being placed on another parcel of land that will be acquired in exchange for the land currently owned by the State of Florida.

H.R. 5492 would also direct the Secretary of the Interior to convey to the State of Florida, the mineral rights on this parcel of land. In return, the State of Florida would pay any administrative costs and fair market value for the mineral interests of $1 if the mineral interests have no value.

## PURPOSE AND NEED

H.R. 5492 would release the reversionary interest of the United States from 1.1 acres of land currently owned by the State of Florida. The land, which was previously acquired by the United States, was deeded to the State of Florida under authority of the Bank-

head-Jones Farm Tenant Act of 1937 (16 U.S.C. 551). This statute provides that such lands be sold, exchanged, or granted to public authorities only on condition that the property is used for public purposes.

The State of Florida seeks release of this reversionary interest, as well as purchase of any mineral rights associated with the property, in order to provide for an exchange of the tract for another parcel of equal value that is currently in private ownership. The release is necessary in order to permit the land to be transferred with clear title to a private party. The exchange will benefit both the private landowner who seeks to acquire the land for access to other lands in his ownership and the State of Florida, which will acquire a tract adjacent to a larger parcel of land administered by the University of Florida.

Release of the reversionary interest and sale of the mineral rights in the State of Florida property is necessary to clear the land title to permit its transfer to the private landowner. In exchange for release of the reversionary interest, the State of Florida is to place a similar interest on the lands it acquires by exchange.

SECTION-BY-SECTION ANALYSIS

*Section 1—Release of Reversionary Interest*

Section 1 would require the Secretary of Agriculture to take such actions as are necessary to release a reversionary interest of the United States in the tract of real property described in section 3(a) of the bill, that—

(1) requires the property to be used for public purposes, and

(2) is contained in a deed granting the property from the United States to the State Board of Education of Florida, dated October 19, 1954, and recorded at page 337 of book 224 of the record of deeds for Putnam County, Florida.

*Section 2—Sale of Mineral Rights*

Section 2, in subsection (a), provides that, subject to any valid existing rights of third parties, the Secretary of the Interior must convey to the State of Florida all of the undivided mineral interests of the United States in the property described in section 3(a) of the bill as soon as practicable after the date that the State of Florida complies with subsection (b)(2).

Section 2, in subsection (b), provides that within 90 days after the date of enactment of the bill, the Secretary of the Interior must determine the mineral character of the property described in section 3(a) of the bill and the fair market value of the mineral interests to be conveyed.

Section 2, in subsection (b), would require the State of Florida to pay to the United States—

(1) any administrative costs incurred by the United States in conveying such mineral interests to the State of Florida, including the costs of making the determinations in this section of the bill; and

(2) the fair market value of the mineral interests to be conveyed, or $1 if the mineral interests in the property are deter-

mined by the Secretary of the Interior to have no value and to be under no active mineral development or leasing.

*Section 3—Property Described*

Section 3, in subsection (a), describes the property to be transferred to the State of Florida by release of the clause in the deed that requires the property to revert to the United States if it is not used for public purposes.

Section 3, in subsection (b), describes the property that the State of Florida must agree will be conveyed to the United States if it is not used exclusively for public purposes.

## COMMITTEE CONSIDERATION

*(A) Subcommittee Markup*

The Subcommittee on Forests, Family Farms, and Energy met, pursuant to notice, on October 8, 1986, in business session to consider H.R. 5492. Subcommittee chairman Charles O. Whitley called the meeting to order and called up an amendment in the nature of a substitute to H.R. 5492. The substitute was adopted by voice vote and the Subcommittee agreed to report the bill, as amended, to the Committee with the recommendation that the bill pass.

*(B) Committee Markup*

The Committee met, pursuant to notice, in business session on October 10, 1986, for consideration of various matters including H.R. 5492. Chairman de la Garza called the meeting to order and recognized Mr. Whitley to explain the bill. Mr. Morrison commended Mr. Whitley for his work, and expressed his support for the bill. The Committee agreed to report H.R. 5492 as amended by the Subcommittee, with the recommendation that the bill pass. Staff was directed to seek expedited scheduling of consideration of the bill by the House.

## ADMINISTRATION POSITION

At the time of the filing of this report, the Committee had not received a report from the U.S. Department of Agriculture concerning H.R. 5492, as amended.

## BUDGET ACT COMPLIANCE (SECTION 308 AND SECTION 403)

The provisions of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 (relating to estimates of new budget authority or new or increased tax expenditures) are not considered applicable. The estimate and comparison required to be prepared by the Director of the Congressional Budget Office under clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974 submitted to the Committee prior to the filing of this report are as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, October 10, 1986.*

Hon. E DE LA GARZA,
*Chairman, Committee on Agriculture,*
*U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 5492, a bill to direct the Secretary of Agriculture to release a reversionary interest of the United States in certain lands located in Putnam County, Florida, and to direct the Secretary of the Interior to convey certain mineral interests of the United States in such land to the State of Florida, as amended and ordered reported by the House Committee on Agriculture, October 10, 1986.

We estimate that enactment of this bill would result in no cost to the federal government. In exchange for the release of its reversionary interest and the conveyance of all mineral rights in the lands, the United States would be compensated by the State of Florida. This compensation would equal the market value of any mineral rights in the lands and the administrative expenses incurred determining that value. Should the mineral rights prove worthless, then compensation would be $1 plus administrative expenses. Based upon information provided by the Department of Agriculture, CBO estimates that the value of mineral rights is negligible, and that the enactment of H.R. 5492 would result in no significant costs to the State of Florida or receipts to the federal government.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

RUDOLPH G. PENNER, *Director.*

## INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that enactment of H.R. 5492, as amended, will have no inflationary impact on the national economy.

## OVERSIGHT STATEMENT

No summary of oversight findings and recommendations made by the Committee on Government Operations under clause 2(b)(2) of rule X of the Rules of the House of Representatives was available to the Committee with reference to the subject matter specifically addressed by H.R. 5492, as amended.

No specific oversight activities other than the hearings detailed in this report were conducted by the Committee within the definition of clause 2(b)(1) of rule X of the Rules of the House of Representatives.

○